

## **October 26, 2021 – EMPIRE VILLAGE COUNCIL REGULAR MEETING**

The meeting was called to order at the Empire Township Hall and the Pledge of Allegiance was led by President Davis at 7:00 p.m. Council members Bacon, Barr, Chase, Dye, Palmer and Rademacher were present. Clerk Smith, Treasurer Nelson, DPW Superintendent Friend and Zoning Administrator Grobbel were also present.

**Motion by Bacon, support by Rademacher to adjourn to a closed session per MCL 15.268(d) to consider purchase or lease of real property. ROLL CALL: Ayes: Bacon, Chase, Rademacher, Barr, Davis. Nays: Palmer, Dye. MOTION PASSED.** Meeting adjourned to closed session at 7:02 p.m.

Meeting resumed at 7:20 p.m.

**Motion by Bacon, support by Barr to authorize President Davis to contact attorney to draw up legal agreement required by grant application for property feasibility study. ROLL CALL: Ayes: Unanimous. Nays: None. MOTION PASSED.**

**Motion by Bacon, support by Barr to authorize the Village Planner to assist the Council in considering the purchase or lease of real property with the expense for such not to exceed \$2500. ROLL CALL: Ayes: Unanimous. Nays: None. MOTION PASSED.**

**CHANGES/ADDITIONS TO AGENDA** – Additions: Chase added hiring of DPW Technician, Dye added possible seawall remediation and Palmer added Sole Source Engineering.

**ADOPTION OF AGENDA - Motion by Dye, support by Rademacher to approve the agenda as amended. Upon a voice vote, MOTION PASSED.**

**PUBLIC COMMENTS ON AGENDA ITEMS** – None.

**CONSENT AGENDA** – Motion by Barr supported by Chase to approve minutes of Regular Meeting 9/28/21, Closed Session 9/28/21, Work Session 10/14/21 and approve Bills totaling \$21,216.04. **ROLL CALL: Ayes: Unanimous. Nays: None. MOTION PASSED.**

**REVIEW OF FINANCIAL STATEMENTS** – Bank statements have been reconciled. Treasurer report of Cash by Fund agrees with the General Ledger maintained by Clerk.

**COMMUNICATIONS** – None.

**DEPARTMENT HEAD REPORTS** – Friend is looking for someone to restore concrete near the recent water main break. Elmer's will complete paving in that area tomorrow. Sand and salt for winter season was delivered today. Friend confirmed that the trucks are in good running order for the winter season. Grobbel reviewed several permits, complaints, and meetings with residents since his written report.

**COUNCIL MEMBER/COMMITTEE REPORTS** – None.

**OLD BUSINESS**

SOUTH BAR LAKE WATER QUALITY REPORT UPDATE – Grobbel reviewed portions of the Summary of Findings in the report (phosphorous, e-coli and algae mats). He recommends adding algae identification, educational materials, and invasive species information to the next report. He would like to take a closer look at the drains/infiltrators for more information.

WATER CROSS CONNECTION LETTER – Rademacher noted two changes that he would recommend. **Motion by Rademacher, support by Bacon to approve the language and send the letter to water customers with the March/April billing. Upon a unanimous voice vote, MOTION PASSED.**

HIRING DPW WORKER – Chase noted that seven interviews have taken place and one individual is qualified. **Motion by Chase, support by Rademacher to allow the Personnel Committee to recommend a candidate and the President hire the new DPW employee to start as soon as he is available. ROLL CALL: Ayes: Rademacher, Chase, Davis, Bacon, Dye. Nays: Barr, Palmer. MOTION PASSED.**

## **NEW BUSINESS**

COUNTY RECYCLING SITE AGREEMENT AMENDMENT – **Motion by Bacon, support by Barr to approve the amendment to this agreement and approve signature by Davis. ROLL CALL: Ayes: Bacon, Chase, Barr, Davis, Dye, Rademacher, Palmer. Nays: None. MOTION PASSED.**

MASS GATHERING ORDINANCE AND PERMIT APPLICATION – **Motion by Barr, support by Bacon to move this to the next work session.** Discussion included whether this should be considered by the Council as it is a police power ordinance, or by Planning Commission that considers zoning ordinances. The information being submitted in a timely manner and adequate fees to cover costs were noted. **Upon a voice vote, MOTION PASSED.**

RESOLUTION DESIGNATING RETIREMENT PLAN TRUSTEES – **Motion by Barr, support by Rademacher to approve Resolution 10 of 2021. Voice Vote: Ayes: Unanimous. MOTION PASSED.**

ENGINEER TO REVIEW SEAWALL – **Motion by Dye, support by Palmer to have Village Engineer review the sea wall, especially by the pump house, to support the integrity of the wall and the specialist for coastal infrastructure be present.** Discussion included perceived slumping of the existing wall and being pro-active about possible repairs. **ROLL CALL: Ayes: Palmer, Rademacher, Dye, Chase. Nays: Davis, Barr, Bacon.** Davis will contact engineer and noted that Friend and a Council member will also attend this review.

**Motion by Bacon, support by Barr to have Engineer give presentation to Council after review with Davis, Friend and Council member rather than a written report. Upon a voice vote, MOTION PASSED UNANIMOUSLY.**

SOLE SOURCE ENGINEERING – There was discussion of when and how the Village Engineer is utilized. It was noted that the Village Purchasing Policy requires bids on projects, the Village

Engineer owns the records on the water and street infrastructure, and new construction or repair projects are always put out for bid.

**PUBLIC COMMENT** – Meg Walton commented on the Water Quality Report and closed session. Chris Grobbel made a public apology to the individual he gestured toward at the work session and noted that comments should be directed at policy not people.

**COUNCIL MEMBER COMMENT** – Chase commented on monies being added to the budget for the additional water quality testing recommended by Grobbel. Palmer commented on the recent meeting regarding community septic systems like the New Neighborhood. Davis asked Trustees for completed DPW work lists and noted that work on the CIP and budget has begun so that information should be completed by the committees as soon as possible.

**ADJOURNMENT** at 8:40 p.m.

Derith Smith Empire Village Clerk

*These minutes were approved at the November 11, 2021, Regular Council meeting.*